

**REMARKS**

Reconsideration and allowance of this Application are respectfully requested in light of the foregoing amendments to the claims and following remarks.

***Expert Declaration***

The Examiner does not appear to understand the features of the disclosed and claimed network collaboration system through embedded annotation and rendering instructions or the features taught by the cited Eintracht reference and has thus maintained an anticipation rejection of all claims even though Applicants have previously traversed rejections arguing that limitations of the claimed invention are not the same as the cited teachings of the Eintracht reference (U.S. Pat. No. 6,687,878). For example, rendered collaborative content is transmitted in the present invention whereas Eintracht transmits documents and associated notes in separate data streams which are then rendered by the client by layering the notes over and the document on a display.

The Examiner has alleged in his response to Applicants' argument contained in paragraph 60 of the Final Rejection, that Applicants' arguments fail to comply with 37 C.F.R. 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the reference. In Applicants' current traversal response, contrary to this allegation of the Examiner, for each rejection traversed the Applicants have provided a detailed argument and cited specific locations in the Eintracht reference as support for their arguments and further explain why the cited teaching of Eintracht is NOT THE SAME as the recited limitation of the present claimed invention.

Contrary to the allegation of the Examiner in paragraph 61, that Applicant's arguments do not comply with 37 CFR 1.111(c), Applicants assert that their arguments in response to the anticipation rejection of the prior Office Action do show how their arguments avoid such references and clearly point out the patentable novelty which they think their claims present in view of the state of the art disclosed by the cited Eintracht reference.

It is Examiner and not the Applicants that has made repeated citations in rejections without any explanation as to why the teachings of Eintracht are the same as the recited limitations of the present claimed invention.

Therefore, in order to explain that certain of the limitations recited by the claims as are not the same as the features taught by the Eintracht reference and cited by the Examiner as the same, a Declaration of two experts in the design, implementation and use of network collaboration systems has been included herewith that explains these differences where they exist, in the opinion of the experts, on a claim-by-claim, limitation-by-limitation basis and this Declaration supports each and every argument made by Applicants in the prior Office Action and which are repeated below with regard to the 37 C.F.R. 102(e) rejection of all claims.

Further, the Declaration of two experts asserts that the teaching of Eintracht and the present claimed invention are directed to fundamentally different inventions for collaborative document annotation which Declaration results in the conclusion by Applicants and their assertion that the Eintracht reference cited by the Examiner as teaching every limitation of the claimed invention is not a relevant reference.

#### *Claim Amendments*

All claim amendments have been made to put the Application in condition for allowance and no new matter has been added by these amendments. Claims 1, 17, 23, 41 and 53 include structure only previously recited in a respective preamble of said claims to which Examiner has already responded citing teaching of the Eintracht reference, and therefore a new search by the Examiner is not necessitated by these amendments.

All independent claims, i.e., claims 1, 17, 23, 41 and 53, have been amended to recite a collaborative content *including a base document, at least one collaborative content element, and embedded annotation and rendering instructions therefor*, a rendering step that renders the collaborative content *in accordance with rendering instructions*, and transmitting the collaborative content *with the annotation and rendering instructions embedded therein*. Applicants' preamble to original independent claims 1, 17 and 23 recited "a network collaboration tool using embedded annotation and rendering instructions" but did not include a limitation reciting such use and each of these claims has been amended to include limitations reciting such use. Original independent claims 41 and 53 recited collaborative content and even though claims are interpreted in light of the specification, Applicants' have amended these claims so that their claimed invention

now explicitly recites that *collaborative content element having at least one annotation embedded therein, and rendering instructions therefor*, a rendering step that renders the collaborative content *in accordance with the rendering instructions*, and transmitting the collaborative content *having said rendering instructions embedded therein*. Claim 53 recites second and third embedded annotation and rendering instructions. Support for all these amendments to the claims can be found at least in the Abstract.

Claims 6 and 28 has been amended to remove “composition step” since there is no antecedent basis for “composition step” and the claimed invention is for providing a visual cue to indicate the state of the collaborative content.

Claims 36 and 37 have been amended to recite “*annotation and rendering instructions are*” to make the claim language consistent with the amended language of independent claim 23 from which they both depend.

Likewise claim 38 has been amended to recite “*comprising the embedded annotation and*” rendering instructions to make the claim language consistent with the amended language of independent claim 23 from which it depends.

Claims 42 and 54 have been amended to replace “referencable” with a corrected spelling of “referenceable”.

Claims 45 and 56 have been amended to refer to “the base document” recited by independent claim 41 and 53 from which they respectively depend instead of “a base document”.

#### ***Response to Examiner’s Response to Amendments***

In the Examiner’s response the Examiner alleges in paragraph 46 that “Even though preamble recites “embedded annotation” none of the elements in the body of the claim indicates “embedded annotation”. Applicants point out that MPEP §2111.02 states that any terminology in the preamble that limits the structure of the claimed invention must be treated as a claim limitation, see, e.g., *Corning Glass Works v. Sumitomo Elec. U.S.A., Inc.*, 868 F.2d 1252, 1257, 9 USPQ2d 1962, 1966 (Fed. Cir. 1989). Therefore, the preamble of claim 1 recites

“A computer-implemented method of network collaboration through embedded annotation and rendering instructions to generate, transmit, and render collaborative content...”

and the preamble of claim 23 which recites

“A system for network collaboration using embedded annotation and rendering instructions ...”

wherein, both preambles recite a structural limitation and thereby did limit the method and system claimed, respectively, not to all computer-implemented methods and systems of/for network collaboration but to those computer-implemented methods and systems of/for network collaboration that through embedded annotation and rendering instructions generate, transmit and render collaborative content. However, as noted above these claims have been further amended to positively recite structure after the preamble.

With regard to paragraph 48 of the Examiner's *Response to Arguments*,

Applicants again assert that Eintracht nowhere teaches a collaborative content including embedded annotation and rendering instructions, as disclosed and claimed by the present invention of claim 1 and 28. Merely associating an (X,Y) coordinate with an annotation does not make the separately stored and separately transmitted annotation taught by Eintracht the same as the embedded annotation recited by present claims 1 and 28. At the location cited by the Examiner of col. 7, lines 55-57 Eintracht teaches

“An annotation or note is a portion of text or a graphical drawing that is associated with a specific location in a document.”

However, at col. 7, line 59 – col. 8 line 1, Eintracht goes on to teach that the annotation or note IS NOT EMBEDDED but has an associated Note Anchor (X,Y) location in a page of a document and that the note is displayed within its own window or layered on top of the displayed document by a client software application. Furthermore, at least in the Abstract Eintracht even teaches that

“documents and associated annotations are treated independently from one another whereby separate data structures are created for the documents and the associated annotations.”

which is not a teaching of embedded annotation and rendering instructions and is not the same as the recited limitation of claims 1 and 23. And, Eintracht teaches that documents and associated notes are even transmitted separately and displayed separately at col. 2, lines 50-55.

Finally, Eintracht teaches that multiple clients can annotate the same document and that annotations being made by other clients are sent to a server and then by the server to other clients that are annotating the same document (in a synchronization operation described at least at col. 2, lines 41-46). The notes taught by Eintracht are thus not embedded anywhere in any collaborative content at any time, as alleged by the Examiner, but are layered by the client software for display over a document image using the Note Anchor to position the note on the display over the image of the document. A Notes Anchor is also not an embedding but a pointer to a location in a page of a document that a given note is associated with. Eintracht only teaches Notes Anchors and not embedding annotations.

With regard to collaborative content, both claims 1 and 23 recite that collaborative content includes “*a base document and at least one collaborative content element*”, i.e., note.

The Examiner responds that “to generate collaborative content” is taught by Eintracht at (creating, col. 3, line 23). There is no “creating” taught by Eintracht at col. 3, line 23. Further, nowhere does Eintracht teach or suggest generating a collaborative content but at the cited location *et seq* Eintracht only teaches

“...the notes client operative to simultaneously display the one or more notes associated with the document over the displayed document such that the document is visible along with the one or more notes...”

which is a teaching of a notes client displaying one or more notes over an already displayed document and is not the same as the generated collaborative content recited by present claims 1 and 23.

The Examiner's responds that “transmit collaborative content” is taught by Eintracht (transmits, col. 2, lines 41-46). However, nowhere does Eintracht teach or suggest transmitting a collaborative content but at the cited location only teaches transmitting notes

“...transmits the annotations generated by the user from the client to the server using a particular protocol. In response, the server transmits back an acknowledgement along with any new notes that other clients may have posted since the last synchronization was performed”

which is not the same as the limitation recited by claims 1 and 23 of transmitting the collaborative content that includes *“a base document and at least one collaborative content element”*.

At col. 1, lines 8-13, Eintracht is stating the Field of the Invention relates to a system for collaborative document annotation based on the exchange of notes attached to web based documents, which exchange of notes is not the same as a collaborative content that includes *“a base document and at least one collaborative content element”* as recited by claims 1 and 23.

In the Examiner's response the Examiner cites

- I. FIG. 3 element 58 which is a notes server
- II. col. 5, lines 60-66 which is a table defining Annotation and Annotation session
- III. col. 7, lines 55-77 which defines an annotation as text or a graphical drawing

none of which is the same as *“rendering collaborative content that includes a base document and at least one collaborative content element”* as recited by claims 1 and 23.

The Examiner responds that Eintracht teaches transmitting said collaborative content at col.1, lines 8-13 by teaching that Eintracht's invention relates to

*“a system for collaborative document annotation based on the exchange of notes attached to web based documents”*

even assuming *arguendo* that this is a teaching it is not the same as the recited limitation of claims 1 and 23 of transmitting a collaborative content because as recited by claims 1 and 23 a collaborative content **includes** *“a base document and at least one collaborative content element”* and here there is only exchange of notes.

Finally, the Examiner responds that Eintracht's teaching of a server receiving notes from clients and forwarding notes already received from other clients to the original client is the same as client-to-client transmission of collaborative content, i.e., the recited *“transmitting of collaborative content between client workstations”* of claims 1 and 23. The cited transmission from a client to a server of a first note with possible transmission

from a server to a client of a second and different note (col. 2, lines 41-46) is not the same and the recited *“transmitting of collaborative content between client workstations”* where collaborative content is recited as *“a base document and at least one collaborative content element”* by claims 1 and 23. Nowhere does Eintracht teach or suggest transmission of collaborative content between clients, between clients and servers, or in any other fashion wherein that transmission is of a collaborative content that includes a base document and at least one collaborative element: there is no such teaching or suggestion at the cited locations of col. 2, lines 41-46, or workstation, or col. 1, lines 8-10, or col. 2, lines 8-67 nor ANYWHERE ELSE in the Eintracht reference.

With regard to paragraph 48, the Examiner's response alleges that Eintracht discloses annotating said collaborative content by adding (new notes, col. 2, lines 44-46) another collaborative element (edit, create, col. 2, lines 34-67). At the cited locations Eintracht teaches

“a client software application functions to display the document that user wants to annotate and provides the tools necessary to permit the user to create, edit, retrieve and store notes (col. 2, lines 34 -36)...

A synchronization button is provided which ... transmits the annotations generated by the user from the client to the server ... In response, the server transmits back an acknowledgement along with any new notes that other clients may have posted since the last synchronization was performed...

In accordance with the invention, the annotations are transmitted from the server independent of the data transmitted that is related to the viewed document. At the client side, the client application layers the annotations over the image (or document) in accordance with the coordinates of each.  
...”

There is no teaching here by Eintracht of annotating said collaborative content by adding a collaborative content element thereto because there is no teaching of creating a collaborative content in the first place, not at any of the cited locations nor anywhere else in the Eintracht reference. The teaching by Eintracht of creating new notes, editing existing notes is not the same as first creating a collaborative content that includes a base document and at least one collaborative content element (note) and then adding a new collaborative content element thereto. Eintracht's teaching is to create a new note or edit an existing note which is then sent by the client to the server and then the server transmits these notes to other users, but neither the server nor the client adds another note to a

previously generated collaborative content in the teaching of Eintracht, as recited by present claims 2 and 24,i.e.,

“annotating said collaborative content by adding another collaborative content element”

as recited by claim 2 and

“instructions ... cause said processor to annotate the collaborative content by adding another collaborative content element”

as recited by claim 24.

With regard to paragraph 50, a text element to name said collaborative content element is not the same as the text of the note and the Note Anchor, as alleged by the Examiner in the Examiner’s response. Further, the Note Anchor is automatically created by the system taught by Eintracht and not entered by the user (col. 15, line 16).

With regard to paragraph 51, Eintracht teaches that a user may request that an alarm be sent to the user whenever a change is being made to the notes database at the server and this is not the same as the recited

“annotating step comprises providing a visual cue to indicate the state of said collaborative content composition step”

recited by claim 6

“said annotate instructions comprise providing a visual cue to indicate the state of said collaborative content composition step”

recited by claim 28, because Eintracht does not teach that annotate instructions or an annotate steps provide a visual cue. Eintracht teaches that an update to a server notes database triggers one or more alarms and this is not the same as the above recited limitations of claims 6 and 28 because no annotating step or instruction provides a visual cue in the teaching of Eintracht. A server changing a notes database sends an alarm to clients that the database is being changed in the cited teaching of Eintracht. Eintracht does not teach that any alarm is sent when collaborative content is changed at a client and, as recited by the claimed invention, collaborative content is a base document and at least one collaborative content element which is not the same as a notes database maintained by a server and which triggers the alarm as taught by Eintracht.



With regard to paragraph 52, Eintracht does not anywhere teach or suggest transmitting a collaborative content including a base document and as least one collaborative content element. Further, the cited Eintracht teachings of col. 2, lines 56-58

“As a result, the present invention has the advantage of permitting multiple clients to annotate a document that resides on a central web server in an asynchronous fashion”

and the teachings of col. 2, lines 47-67 which nowhere teach initiating transmitting of anything by a user selecting a visual element, and the teaching of col. 3, lines 1-4 which teach that alarms can be filtered in numerous ways has nothing to do with a user initiating transmission of anything whatsoever by the user selecting a visual element. Nothing taught by Eintracht, either at the locations cited by the Examiner or anywhere else in the Eintracht reference, teaches a user selecting a visual element to initiate transmission and therefore the cited teachings of the Eintracht reference are not the same as the recited

“...said transmitting step is initiated by a user selecting a visual element to transmit said collaborative content”

recited by claim 8, and

“... transmit instruction is initiated by a user selecting a visual element to transmit the collaborative content ...”

recited by claim 30.

The Examiner has inadvertently combined his responses to arguments E and F in paragraph 52 so Applicants have likewise combined their response to the Examiner's response herein. At the cited locations Eintracht does not teach that a notes server performs rendering steps as alleged by the Examiner in paragraph 52 with respect to argument F. At col. 8, lines 34-39 Eintracht teaches a notes server functions to provide the central document and note management features and nowhere teaches rendering performed on a server as recited by claims 15 and 37. At the cited location of col. 2, lines 56-67, Eintracht teaches that a client layers the notes over a document which has the advantage of permitting multiple clients annotate a document that resides on a central web server in an asynchronous fashion and when annotations are posted to the server by a

client the state of the annotation database is synchronized. These teachings of Eintracht have nothing to do with rendering by a server as recited by claims 15 and 37, that is, these teaching of Eintracht are not the same as the recited limitation of claim 15

“said rendering step is performed on a server”

and the recited limitation of claim 37

“wherein the render instruction is performed on a server”.

With regard to paragraph 53, Eintracht teaches, in pertinent part, at the cited location of col. 4, lines 13-20

“a first request comprising a URL associated with a document to be viewed and annotated and transmitting the first request from a client to a server, sending a first response from the server in response to the first request, the first response comprising the document type of and representative of the requested document, getting a second request comprising a not URL corresponding to the notes associated with the document and sending the second request from the client to the server, sending a second response from the server in response to the second request, the second response comprising one or more notes associated with the document, displaying the representation of the document and the associated one or more notes locally on the client”

which is not the same as the recited limitation of claim 16

“the collaborative content transmitted in said transmitting step includes a URL and rendering instructions”

and is not the same as the recited limitation of claim 39

“wherein the collaborative content transmitted includes a URL and rendering instructions”

because, first, there is no collaborative content including a base document and at least one collaborative content element taught by Eintracht either at the cited location or anywhere else in Eintracht, and there is no teaching of rendering instructions being transmitted at the cited location in Eintracht.

With regard to paragraph 54, Eintracht teaches at the cited location of (software, col. lines 16-18)

“The invention can be implemented as software, a portion of which executes on the server side and a portion that executes on the client side.”

which is not a teaching of the recited network collaboration tool comprising a graphical collaboration tool of claim 17. It is well-settled that to establish anticipation requires a single prior art reference in which all of the same elements are found in exactly the same situation and united in the same way to perform the identical function. The cited 'software' teaching of Eintracht hardly meets any of these requirements because there is no teaching at the cited location or anywhere else in Eintracht of the same elements recited by claim 17 that are found in exactly the same situation recited by claim 17 and united in the same way as recited by claim 17 to perform the identical function as recited by claim 17, i.e., there is no teaching of a

"A network collaboration tool comprising ... a graphical collaboration tool for generating at least one collaborative content element on the collaborative content displayed in said web browser software and transmitting the at least one collaborative content element"

The embedded annotation recited in the preamble of claim 17 is embedded in the collaborative content transmitted and is not associated with a specific location in a document, col. 7, lines 55-57. The Examiner has not understood the disclosed and claimed embedded annotation of the present invention. According to the disclosed and claimed inventions of the independent claims, an embedded annotation is embedded in collaborative content at least so that when the collaborative content is transmitted (1) a recipient client of the transmission can use the embedded content to request the server to render it and (2) a recipient server of the transmission can render the embedded annotation and associated document and send the rendered image (of the annotation over the document) to the client that transmitted the embedded annotation and rendering instructions in the first place.

The Examiner does not site any teaching of Eintracht of rendering instructions. The disclosed and claimed rendering instructions of the present invention (all present claims because all independent claims 1, 17, 23, 41 and 53 recite rendering instructions) are sent by a client to a server so that the server can render a collaborative content in a client-appropriate manner, e.g., to fit on the screen of a PDA client. Only the client can create rendering instructions and include these rendering instructions along with

collaborative content in messages sent to a server that request rendering of collaborative content.

With regard to the response of the Examiner that Eintracht teaches (web browser window, co. 2, lines 9-67, col. 7, lines 24-44)

“a server process for receiving at least one generated collaborative content element (transmits, col. 2, line 42-46), rendering the collaborative content in combination with the collaborative content elements, and generating a combined collaborative content including collaborative content elements for display by said web browser software”

nowhere either at the cited locations or anywhere else does Eintracht teach or suggest that a server renders anything let alone the disclosed and claimed by claim 17

“collaborative content the collaborative content in combination with the collaborative content elements, and generating a combined collaborative content including collaborative content elements for display by said web browser software”.

At col. 1, lines 8-10 Eintracht is stating that his invention related to a system for collaborative document annotation which is not the same as the recited

“generating at least one collaborative content element”

as alleged by the Examiner in paragraph 54 of the Examiner’s response to Applicants’ arguments made in an Amendment responding to the prior Office Action.

With regard to paragraph 55, when a term such as ‘same’ is used it is to be afforded its normal meaning and in this context where a server and a client are disclosed and claimed, and where the reference discloses servers as separate computer systems from client workstations, one skilled in the art would attribute to “execute on the same computer system” to mean that the recited components execute on a same computer system where ‘same’ has its ordinary meaning of executing on the selfsame computer system indicating that the computer system is one and is not two or more computer identical systems (Merriam -Webster’s Collegiate Dictionary, 10<sup>th</sup> Ed, 2000).

With regard to paragraph 56, it is assumed that the Examiner meant to refer to FIG. 3. At the cited location (elements, FIG. 2 (sic), col. 7, lines 24-51), Eintracht teaches that the server process executes on a separate computer server system 54 and 58 from a notes client 41 but nowhere teaches that each of web browser software and a graphical collaboration tool execute on separate computer system. Eintracht teaches a

web browser and a plug-in is a Notes Client 41 which Eintracht teaches at the cited locations as executing on the identical, selfsame client and not separate computer systems as alleged by the Examiner in the Examiner's response to Applicants' arguments.

With regard to paragraph 57, it is assumed that the examiner meant to refer to argument K, however argument K, which refers to claim 39, recites a client-side scripting language and not a memory coupled with a processor as alleged by the Examiner. A scripting language as disclosed and claimed by present claim 39 is not a page description language, as alleged by the Examiner in the Examiner's response. The common meaning of these terms and the source for this common meaning is

**Page Description Language** - Abbreviated as PDL, a language for describing the layout and contents of a printed/displayed page. The best-known PDLs are Adobe PostScript and Hewlett-Packard PCL (Printer Control Language), both of which are used to control laser printers.

Source - <http://www.webopedia.com>

**Scripting Language** - A high-level programming language that is interpreted by another program at runtime rather than compiled by the computer's processor as other programming languages (such as C and C++) are. Scripting languages, which can be embedded within HTML, commonly are used to add functionality to a Web page, such as different menu styles or graphic displays or to serve dynamic advertisements. These types of languages are client-side scripting languages, affecting the data that the end user sees in a browser window. Other scripting languages are server-side scripting languages that manipulate the data, usually in a database, on the server. Scripting languages came about largely because of the development of the Internet as a communications tool. JavaScript, ASP, JSP, PHP, Perl, Tcl and Python are examples of scripting languages.

-- Source - [http:// www.webopedia.com](http://www.webopedia.com)

With regard to paragraph 58, repeatedly, throughout the Examiner's response to Applicants arguments in their Amendment responding to the prior Office Action, the Examiner excises a part of a limitation of a present claim and cites some teaching of the excised part that does not satisfy any of the requirements of an anticipation rejection as stated above. This paragraph is one such example. The cited location of col. 5, lines 30-35, does not teach anything including not teaching a memory, since it is a header and an introductory sentence to the following table of terms. The cited location of col. 9, lines 49-50 only teaches that the Notes Server can be implemented as a process running on the

web server computer. Therefore, the Examiner has not cited any teaching of Eintracht that is the same as the recited limitation of claim 23

“a memory coupled to the processor, said memory having stored therein sequences of instructions which, when executed by said processor, cause said processor to generate a collaborative content including a base document and at least one collaborative content element, render the collaborative content, and transmit the collaborative content between client workstations”

or the same as the recited limitation of claim 24 , dependent from claim 23

“wherein said memory further comprises sequences of instructions which, when executed by said processor, cause said processor to annotate the collaborative content by adding another collaborative content element”

and indeed there is no such teaching anywhere in Eintracht.

With regard to paragraph 59, Applicants repeat the corresponding arguments above.

It is clear, from the above discussion of the Examiner's response to Applicants' arguments in the first and prior Office Action, that the Examiner neither understands the teaching of Eintracht nor the present claimed invention and the differences therebetween, and this demonstrated lack of basic understanding of differences further necessitated the inclusion of the two experts' Declaration herewith.

### ***Claim Rejections – 35 USC §102***

The Examiner has maintained the prior rejections of claims wherein for every one of the claim rejections of the Office Action, the Office Action merely quotes a preamble and/or one or more limitations of Applicants' claims and never explains how the cited part of the reference teaches Applicants' quoted preamble and/or one or more limitations. Examiner provided response to applicants' prior traversals of each rejection that likewise does not explain how the cited part of the reference teaches the thereby rejected element of the Applicants claim. As Applicants' have argued above, Examiner has not addressed how Eintracht teaches a collaborative content and since the claimed collaborative content is recited by each and every claim of the present invention, this is a fundamental flaw of Examiner's response and of the rejection maintained by Examiner, which explains nothing but merely recites a limitation of the a claim and associates at least one location in the reference with that limitation.

Anticipation is a strictly technical rejection. In each of the following arguments to overcome a rejection of claims based on anticipation, Applicants rely on the fact that it is well-settled that to establish anticipation requires a single prior art reference in which all of the same elements are found in exactly the same situation and united in the same way to perform the identical function. That is, “Unless all of the same elements are found in exactly the same situation and united in the same way to perform the identical function in a single prior art reference, there is no anticipation under 35 U.S.C. §102.” See, e.g., *Saf-Gard Products, Inc. v. Service, Inc.*, 532 F.2d 1266, 1290 (9<sup>th</sup> Cir. 1976), *cert. denied*, 429, U.S. 898 (1976); *Roberts v. Sears, Roebuck & co.*, 723 F.2d 1324, 1332 (7<sup>th</sup> Cir. 1983) (quoting *Illinois Tool Works, Inc. v. Sweetheart Plastics, Inc.*, 536 F.2d 1180, 1182-3 (7<sup>th</sup> cir.), *cert. dismissed*, 403 U.S. 942 (1971)).

3. Claims 1-58 are rejected under 35 U.S.C. 102(e) as being anticipated by Eintracht et al. (U.S. Patent 6,687,878, hereinafter “Eintracht”)

4. Claims 1 and 23

Office Action Position

The Office Action alleges

“As per claims 1 and 23, Eintracht discloses a computer – implemented method of network collaboration through embedded annotation and rendering instructions to generate, transmit, and render collaborative content, the method comprising the steps (see abstract, col 2, lines 8-67, col 3, lines 1-67) of:

generating a collaborative content including a base document and at least one collaborative content element (col 2, lines 40-46);

rendering said collaborative content (col 2, lines 8-55); and

transmitting said collaborative content between client workstations. (col 2, lines 8-67).”

Applicants Response

Applicants respectfully traverse

Applicants note that the above text is only recited in independent method claim 1 and that independent system claim 23 recites a system having a processor that generates and renders collaborative content before transmitting the collaborative content between client workstations.

Each of the preambles and the limitations following the preambles of independent claims 1 and 23 recite embedded annotation and rendering instructions. Nowhere in any of the locations cited in the Office Action of the Abstract, Col. 2, lines 8-67, Col. 3, lines 1-67 or anywhere else in the cited Eintracht reference does Eintracht either teach or suggest *collaboration through embedded annotation and rendering instructions*. At one of the cited locations (Col. 2 lines 5-15) Eintracht teaches that “The documents and associated annotations are treated independently from each other. Separate data structures are created for the documents and for the associated annotations thus permitting their independent management.” Eintracht nowhere teaches that annotations are embedded in anything whatsoever.

Claims 1 and 23 recite generating a collaborative content including a base document and at least one collaborative content element, rendering said collaborative content, and transmitting said collaborative content between client workstations. Eintracht teaches that notes information are transmitted between client and server applications (Col. 2, lines 28-29) and a synchronization button is provided such that when pressed by the user the annotations generated by the user are transmitted from the client to the server and that the server, in response, transmits back *inter alia* any new notes that other clients may have posted since the last synchronization was performed (Col. 2, lines 41-46). Thus, Eintracht does not teach generating a collaborative content including a *base document and at least one collaborative content element*, and transmitting said collaborative content between client workstations, as recited by instant claims 1 and 23. In fact, Eintracht teaches away from generating and transmitting such a collaborative content by teaching “In accordance with the invention, the annotations are transmitted from the server independent of the data transmitted that is related to the viewed document.” (Col. 2, lines 50-53) Eintracht is not teaching generating the collaborative content recited by instant claims 1 and 23 and is not teaching transmitting said collaborative content as recited by instant claims 1 and 23.

In view of the foregoing discussion, and the introductory remarks concerning the requirements for an anticipation rejection, Eintracht neither anticipates instant independent claims 1 and 23 nor claims 2-16 and 24-40, respectively dependent therefrom, and the rejection should be withdrawn. Claims 1 and 23 are allowable and



claims 2-16 and 24-40, respectively dependent therefrom, are allowable for at least this reason.

#### 4. Claim 2 and 24

##### Office Action Position

The Office Action alleges

“As per claims 2 and 24, Eintracht discloses further comprising the steps of annotating said collaborative content by adding another collaborative content element (col 2 lines 34-67).”

##### Applicants' Response

Applicants respectfully traverse.

As already argued with respect to instant claims 1 and 23, Eintracht nowhere teaches or suggests generating collaborative content including a base document and at least one collaborative content element and therefore Eintracht does not teach annotating said collaborative content by adding another collaborative content element. Contrary to the allegation of the Office Action that a user adds another collaborative content element to already existing collaborative content that includes a base document and at least one collaborative content element, Eintracht only teaches a user (client) creating, editing retrieving and storing notes either at the server Col. 22-24 or locally (Col. 2, line 35-36) and sending only the user-generated annotations from the client to the server (Col. 2, lines 41-46), and transmitting only other users' annotations from the server to the client all independent of the data transmitted that is related to the viewed document (Col. 2, lines 51-53). Eintracht cannot add another element to a non-existent collaborative content where the collaborative content includes a base document and at least one collaborative content element as recited by claims 2 and 24. Eintracht teaches maintaining documents and their annotations independent of one another. Eintracht does not teach or suggest or imply or even hint at collaborative content as recited by instant claims 2 and 24 as including a base document and at least one collaborative content element.

In view of the foregoing discussion, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate

instant dependent claims 2 and 24, dependent claims 2 and 24 have an independent basis for allowability, and the rejection thereof should be withdrawn.

#### 7. Claims 4 and 26

##### Office Action Position

The Office Action alleges

“As per claims 4 and 26, Eintracht discloses where said annotating step comprises inputting a text element to name said collaborative content element (col 15, lines 10-14).

##### Applicants' Response

Applicants respectfully traverse.

Neither at the cited location nor anywhere else does Eintracht teach or even suggest inputting a text element to name said collaborative content element, as recited by instant dependent claims 4 and 26.

In view of the foregoing remark, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claims 4 and 26, dependent claims 4 and 26 have an independent basis for allowability, and the rejection thereof should be withdrawn.

#### 9. Claim 6 and 28

##### Office Action Position

The Office Action alleges:

“As per claims 6 and 28, Eintracht discloses wherein said annotating steps comprises providing a visual cue to indicate the state of said collaborative content composition step (col 2, lines 65-67).”

##### Applicants' Response

Applicants respectfully traverse.

Neither at the cited location nor anywhere else does Eintracht teach or even suggest providing a visual cue to indicate the state of said collaborative content composition step. At the cited location of Col. 2, lines 65-67. Eintracht teaches notifying clients of a database change at the server and does not teach providing a visual cue to

indicate the state of said collaborative content composition step which step is taking place at the client and is therefore not a database change at the server.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claims 6 and 28, dependent claims 6 and 28 have an independent basis for allowability, and the rejection thereof should be withdrawn.

#### 11. Claims 8 and 30

##### Office Action Position

The Office Action alleges:

“As per claims 8 and 30, Eintracht discloses wherein said transmitting step is initiated by a user selecting a visual element to transmit said collaborative content (col2, lines 47067, col 3, lines 1-4)”.

##### Applicants' Response

Applicants respectfully traverse.

Neither at the cited location nor anywhere else does Eintracht teach or even suggest providing a user selecting a visual element to transmit said collaborative content. Further, Eintracht only teaches a user transmitting annotations whereas the collaborative content recited by instant claims 8 and 30 includes a base document and at least one collaborative content element.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claims 8 and 30, dependent claims 8 and 30 have an independent basis for allowability, and the rejection thereof should be withdrawn.

#### 15. Claims 15 and 37

The Office Action alleges:

“As per claims 15 and 37, Eintracht discloses wherein said rendering step is performed on a server (col 2, lines 56-67).”

Applicants' Response

Applicants note that the paragraph 15 of the Office Action is repeated and that this response is to the second paragraph 15 of the Office Action, which follows paragraph 17 and precedes paragraph 18 thereof.

Applicants respectfully traverse.

Neither at the cited location nor anywhere else does Eintracht teach or even suggest a rendering step is performed on a server, as recited by instant claims 15 and 37. At the cited location, Eintracht teaches posting annotations to the server by a client and *does not teach the server performing the rendering step*. And, at Col. 2, lines 53-55 Eintracht teaches "At the client side, the client application layers the annotations over the image (or document)...", i.e., that it is the client that performs the rendering step.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claims 15 and 37, dependent claims 15 and 37 have an independent basis for allowability, and the rejection thereof should be withdrawn.

18. Claims 16 and 38Office Action Position

The Office Action alleges:

"As per claims 16 and 38, Eintracht discloses wherein the collaborative content transmitted in said transmitting step includes a URL and rendering instructions (col 4, lines 53-58)";

Applicants' Response

Applicants respectfully traverse.

Neither at the cited location nor anywhere else does Eintracht teach or even suggest the collaborative content transmitted in said transmitting step includes a URL and rendering instructions, as recited by instant claims 16 and 38.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claims 16 and 38, dependent claims 16 and 38 have an independent basis for allowability, and the rejection thereof should be withdrawn.

## 19. Claim 17

### Office Action Position

The Office Action alleges:

“Eintracht discloses a network collaboration tool using embedded annotation and rendering instructions comprising:

a web browser software for displaying collaborative content (sol 2, lines 9-67, col 7, lines 24-44);

a graphical collaboration tool for generating at least one collaborative content element on the collaborative content displayed in said web browser software and transmitting the at least one collaborative content element fig 2-3, col 2, lines 9-67, col 7, lines 24-44); and

a server process for receiving at least one generated collaborative content elements, rendering the collaborative content in combination with the collaborative content elements, and generating a combined collaborative content including collaborative content elements for display by said web browser software (fig 2-3, col 2, lines 9-67, col 7, lines 24-44).”

### Applicants' Response

Applicants respectfully traverse.

As noted above in the discussions of dependent claims 15 and 37, Eintracht *does not teach the server performing the rendering step*, and at Col. 2, lines 53-55 Eintracht teaches “At the client side, the client application layers the annotations over the image (or document)...”, i.e., that it is the client that performs the rendering step. Further, neither Fig. 2 nor Fig. 3 show any rendering step being performed at a server, much less rendering the collaborative content (*document*) in combination with the collaborative content elements (*annotations*), italicized items added as explanation. At the cited location of Col. 2, lines 9-67 Eintracht teaches “At the client side, the client application layers the annotations over the image (or document)...”, i.e., that it is the client that performs the rendering step. Further, at the cited location Col. 7, lines 24-44 Eintracht teaches a web browser 42 shown in Fig. 3 at a NOTES CLIENT and not at a web server 48 and explained in the Eintracht specification as comprising a Note Plug-In component 44 that is the tool used for browsing the documents located on the server side (Col. 7, line 34) and it is invoked each time the browser gets a response from the Web Server 54 (Col. 7, lines 35-36) and that the communication protocol between Notes Clients and

Notes server is standard HTTP "...The web browsers 42 and the Notes Server 58 communicate with the web server 54 via the HTTP protocol" (Col. 7, lines 37-44). Finally, Applicants point out that at least at Fig. 7 Eintracht teaches that it is the Client that displays (renders) the document and notes (the combined collaborative content) and not the server.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate independent claim 17, nor does Eintracht anticipate claims 18-22 dependent therefrom, for at least this reason. Independent claim 17 is allowable, and dependent claims 18-22 dependent from allowable claim 17 are allowable for at least this reason, and the rejections of these claims should be withdrawn.

### 23. Claim 21

#### Office Action Position

The Office Action alleges:

"As per claim 21, Eintracht discloses wherein said web browser software, said graphical collaboration tool, and said server process execute on the same computer system (col 7, lines 24-35)."

#### Applicants' Response

Applicants respectfully traverse.

Nowhere does Eintracht teach or suggest said web browser software, said graphical collaboration tool, and said server process execute on the same computer system. At the cited location of Col. 17, line 24-35, Eintracht teaches that a Notes Client 41 is "...used for browsing documents located on the server side ..." not that the processing for browsing is taking place on the server side.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 20, dependent claim 20 has an independent basis for allowability, and the rejection thereof should be withdrawn.

## 24. Claim 22

### Office Action Position

The Office Action alleges:

As per claim 22, Eintracht discloses wherein said web browser software, said graphical collaboration tool, and said server process each execute on a separate computer system (fig 2-3, col 7, lines 24-51);”

### Applicants’ Response

Applicants respectfully traverse.

At the cited locations in the reference used by the Office Action to support the a graphical collaboration tool, Eintracht teaches that “...Each web browser comprises a Note Plug-In component 44 that loads into the browser (col 7, lines 24-44) and that the “ ... client side ... software application functions to display the document that the user wishes to annotate and provides the tools necessary to permit the user to create, edit, retrieve and store notes. Note that the client software application can be implemented as a web browser plug-in module. The plug-in contains the user interface for navigating within the document and for handling the notes” (col 2, lines 9-67). However, nowhere in the cited fig 2-3 does Eintracht teach a graphical collaboration tool executing on a separate computer system from the computer system on which the web browser software is executing. In fact, the NOTE PLUG-IN 44 is shown as an integral part of the WEB BROWSER 42 which is part of a NOTES CLIENT 41 and is not shown as part of any server, e.g., not part of the WEB SERVER 54, the NOTES SERVER 58 or the DOCUMENT FILE SERVER 62, which are the only servers illustrated in Figs. 2-3.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 22, dependent claim 22 has an independent basis for allowability, and the rejection thereof should be withdrawn.

25. Claim 39Office Action Position

The Office Action alleges:

“Eintracht discloses wherein said sequences of instructions include at least one of a client-side scripting language (page description language, col 6, lines 31-54).”

Applicants’ Response

Applicants respectfully traverse.

Applicants point out that a page description language is not a scripting language and further Nowhere does Eintracht teach “a memory coupled to the processor, said memory having stored therein sequences of instructions which, when executed by said processor, cause said processor to generate a collaborative content including a base document and at least one collaborative content element, render the collaborative content, and transmit the collaborative content between client workstations wherein said sequences of instructions include at least one of a client-side scripting language” as recited by instant claim 39. At the cited location Eintracht teaches that a document may be expressed in a page description language such as Postscript and Adobe PDF and does not teach sequences of instructions include at least one of a client-side scripting language.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 39, dependent claim 39 has an independent basis for allowability, and the rejection thereof should be withdrawn.

26. Claim 40Office Action Position

The Office Action alleges:

“Eintracht discloses wherein said sequences of instructions include at least one of Javascript and dynamic HTML (page description language, col 6, lines 31-54).”

Applicants’ Response

Applicants respectfully traverse.



Applicants point out that a page description language is not a language such as Javascript or dynamic HTML and further Nowhere does Eintracht teach “a memory coupled to the processor, said memory having stored therein sequences of instructions which, when executed by said processor, cause said processor to generate a collaborative content including a base document and at least one collaborative content element, render the collaborative content, and transmit the collaborative content between client workstations wherein said sequences of instructions include at least one of a client-side scripting language” as recited by instant claim 39. At the cited location of Col. 6, lines 31-54 Eintracht teaches that a document may be expressed in a page description language such as Postscript and Adobe PDF and does not teach sequences of instructions include at least one of Javascript and dynamic HTML. Finally, at the cited location of Col. 9, line 28-30 Eintracht teaches utilizing Java on the server to trigger the client and update the client display. However, the paragraph containing this cited location, namely, Col. 9 lines 24-39 clearly disclose that Eintracht is teaching using Java in the server, rather than HTTP for a notes only synchronization process and not for generating a collaborative content including a base document and at least one collaborative content element, as recited by instant claim 40.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 40, dependent claim 40 has an independent basis for allowability, and the rejection thereof should be withdrawn.

## 27. Claim 41

### Office Action Position

The Office Action alleges:

“As per claim 41, Eintracht discloses a client system for network collaboration comprising:

a collaborative content (see abstract); and

a graphical collaboration tool for generating (fig 3, col 6, lines 31-54), transmitting (col 2, lines 8-55), and rendering said collaborative content (col 2, lines 8-55) wherein said graphical collaboration tool is downloaded from a server (plug-in, fig 3, col 8, lines 24-43).”

#### Applicants’ Response

Applicants respectfully traverse.

Applicants again assert that Eintracht does not teach a collaborative content but teaches that documents and associated annotations are treated independently from each other whereby separate data structures are created for the documents and for the associated annotations (Abstract).

Eintracht nowhere teaches or suggests a graphical collaboration tool for generating, transmitting, and rendering said collaborative content. In fact, the documents and notes are taught by Eintracht as even being displayed independently “At the client side, the client application layers the annotations over the image (or document)...” (Col. 2, lines 53-55). No collaborative content is being generated so that no collaborative content can be transmitted. Documents are stored separately from notes on a server, as taught by Eintracht at Col. 3, lines 15-28 “...a document file located on a server, the document file for storing one or more documents, a notes database located on the server, the notes database for storing one or more notes, ..., one or more notes clients coupled to a network, each notes client operative to locally display a representation of a document remotely stored on the server in the document file, the notes client adapted to permit a user to annotate the document with one or more notes, the notes client operative to simultaneously display the one or more notes associated with the document over the displayed document such that the document is viewable along with the one or more notes, a notes server coupled to the network, the notes server operative to store the document in the document file separately from notes stored in the notes database...”.

Finally, nowhere either at the cited locations of fig 3 and col 8. lines 24-43, or anywhere else in the cited reference does Eintracht teach or suggest or even hint that a graphical collaboration tool (plug-in) is downloaded from a server. Applicants note that Fig. 6 item 120 shows the CLIENT LOADS NOTES CLIENT PLUG-IN and Fig. 7 shows the client performs LOAD PLUG-IN.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate independent claim 41 and therefore does not anticipate dependent claims 42-50 dependent therefrom. The rejections of claims 41-50 should be withdrawn, independent claim 41 is allowable and claims 42-50 dependent therefrom are allowable for at least this reason.

## 28. Claim 42

### Office Action Position

The Office Action alleges:

“As per claim 42, Eintracht discloses wherein said collaborative content is referencable by a URL (col 4, lines 13-37).”

### Applicants' Response

Applicants respectfully traverse.

Applicants again assert that Eintracht does not teach a collaborative content but teaches that documents and associated annotations are treated independently from each other whereby separate data structures are created for the documents and for the associated annotations (Abstract).

Eintracht further teaches that separate URLs are associated with a document and the notes associated with the document that is a teaching of separately storing the document and its associated notes at the locations indicated by the corresponding URLs and is not a teaching of a collaborative content referencable by a URL, as alleged by the Office Action. Eintracht teaches, at the cited location, that the document has an associated URL and document notes have a separate document note URL corresponding to the notes associated with the document. Eintracht alternatively teaches a document folder URL associated with a folder comprising one or more documents that are to be viewed and annotated (Col. 4, lines 41-46).

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 42, claim 42 has an independent basis for allowability and the rejection thereof should be withdrawn.

### 31. Claim 45

#### Office Action Position

The Office Action alleges:

“As per claim 45, Eintracht discloses wherein said collaborative content includes a URL of a base document and a representation of a collaborative content element (fig 5, col 4, lines 13-38).”

#### Applicants' Response

Applicants respectfully traverse.

Fig 5 only discloses the URL of a folder of documents. Applicants again assert that Eintracht does not teach a collaborative content but teaches that documents and associated annotations are treated independently from each other whereby separate data structures are created for the documents and for the associated annotations (Abstract) and further, as taught by Eintracht at the cited location of col 4, lines 13-38, separate requests are made by a client for each of a document and the annotations associated with a document. Nowhere does Eintracht teach a collaborative content much less that a collaborative content includes a URL of a base document and a representation of a collaborative content element, as recited by instant dependent claim 45.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 45, claim 45 has an independent basis for allowability and the rejection thereof should be withdrawn.

### 32. Claim 46

#### Office Action Position

The Office Action alleges:

“As per claim 46, Eintracht discloses wherein said graphical collaboration tool, in response to a user manipulating said graphical collaboration tool to add a collaborative content element, transmits a representation of the collaborative content element and the URL of said collaborative content to a server and receives from the server said collaborative content including the added collaborative content element (see abstract, fig 5, col, 31-54).”

### Applicants' Response

Applicants respectfully traverse.

Applicants point out that the column number of the location in the reference was not provided in the Office Action and Applicants are assuming that the missing column number is 6, as in paragraph 33.

Fig 5 only discloses the URL of a folder of documents.

Applicants again assert that Eintracht does not teach a collaborative content but teaches that documents and associated annotations are treated independently from each other whereby separate data structures are created for the documents and for the associated annotations (Abstract). And further, as taught by Eintracht at location col 4, lines 13-38, separate requests are made by a client for each of a document and the annotations associated with a document. Nowhere does Eintracht teach a collaborative content much less that a client receives from a server "...said collaborative content including the added collaborative content element", as recited by instant dependent claim 46. Finally, at the cited location of abstract, fig 5, and col 6, lines 31-54 there is no teaching by Eintracht of a graphical collaboration tool transmits a representation of the collaborative content element (note) and the URL of said collaborative content (document) to a server and receives from the server said collaborative content including the added collaborative content element. The document and the annotations are stored separately, requested separately, and displayed separately according to preceding discussions of collaborative content and the teachings of Eintracht as cited in the preceding discussions of collaborative content.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 46, claim 46 has an independent basis for allowability and the rejection thereof should be withdrawn.

### 33. Claim 47

#### Office Action Position

The Office Action alleges:

“As per claim 47, Eintracht discloses wherein said graphical collaboration tool, in response to a user manipulating said graphical collaboration tool to modify a collaborative content element, transmits a representation of the collaborative content element and the URL of said collaborative content to a server and receives from the server said collaborative content including the modified collaborative content element (see abstract, fig 5, col 6, lines 31-54).”

#### Applicants' Response

Applicants respectfully traverse.

See the preceding discussion of dependent claim 46, but for a modified collaborative content element.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 47, claim 47 has an independent basis for allowability and the rejection thereof should be withdrawn.

#### 39. Claim 53

##### Office Action Position

The Office Action alleges:

“As per claim 53, Eintracht discloses a server system for network collaboration comprising:

a collaborative content (see abstract); and

a server process for responding to a user request wherein the user request includes at least one of a request for said collaborative content (col 2, lines 8-67, col 3, lines 12-36), a graphical collaboration tool (fig 3, col 6, lines 31-54), said collaborative content including an added collaborative content element (col 2, lines 8-67), and said collaborative content including a modified collaborative content element (abstract, col 3, lines 5-67).”

#### Applicants' Response

Applicants respectfully traverse.

In the Abstract Eintracht only teaches “...a web server application on the server side function to capture requests from one or more note client applications for creating, storing, editing and retrieving annotations related to specific documents stored on the notes server. On the client side, the notes client functions to display the document that

the user wishes to annotate and provides the tools necessary to permit the user to create, edit, delete, retrieve and store notes.” At col 2, lines 8-67, Eintracht teaches what the Abstract teaches as well as “...A notes server functions to log all annotation activities along with information about the corresponding clients that create, edit and retrieve them. ... The notes information are transmitted between client and server application ,, On the client side a client software application functions to display the document that the user wishes to annotate and provides the tools (*graphical collaboration tool*) necessary to permit the user to create, edit, retrieve and store notes. ... the client software application can be implemented as a web browser plug-in module...”.

Nowhere either at the cited locations of fig 3 and col 6. lines 31-54, or anywhere else in the cited reference does Eintracht teach or suggest or even hint at a server system comprising a graphical collaboration tool.

Applicants also refer to the discussions above relating to claims 46 and 47 concerning Eintracht’s lack of a teaching for including an added and a modified collaborative content element, respectively.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate independent claim 53 and therefore does not anticipate dependent claims 54-58 dependent therefrom. The rejections of claims 53-58 should be withdrawn, independent claim 53 is allowable and claims 54-58 dependent therefrom are allowable for at least this reason.

#### 40. Claim 54

##### Office Action Position

The Office Action alleges:

“As per claim 54, Eintracht discloses wherein said collaborative content is referencable by a URL (col 4, lines 13-37).”

##### Applicants’ Response

Applicants respectfully traverse.

Applicant refer to the discussion of paragraph 28 above dealing with an identical rejection of claim 43.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 54, dependent claim 54 each has an independent basis for allowability and the rejection thereof should be withdrawn.

#### 42. Claim 56

##### Office Action Position

The Office Action alleges:

“As per claim 56, Eintracht discloses wherein said collaborative content includes a URL of a base document and a representation of a collaborative content element (col 4, lines 13-37).”

##### Applicants' Response

Applicants respectfully traverse.

Applicant refer to the discussion of paragraph 31 above dealing with an identical rejection of claim 45.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 56, dependent claim 56 has an independent basis for allowability and the rejection thereof should be withdrawn.

#### 43. Claim 57

##### Office Action Position

The Office Action alleges:

“As per claim 57, Eintracht discloses wherein said server process executes on a client workstation of a user (col 2, lines 34-67).”

##### Applicants' Response

Applicants respectfully traverse.

Nowhere either at the cited location in the reference (Col. 2, lines 34-67) nor anywhere else in the cited reference does Eintracht teach said server process for responding to a user request, wherein the user request includes at least one of a request for said collaborative content, *executes on a client workstation* of a user, as recited by



instant claim 57. At Col. 2, lines 21- 24 Eintracht discloses "...A we server application on the server side functions to capture special requests from one or more client applications for creating, storing, editing, and retrieving, annotations related to specific documents located in the server. A notes server functions to log all annotation activities along with information about the correspond clients that create, edit and retrieve them. The notes information are transmitted between client and server applications ... over communications means...." The server stores the document and the annotations which together form the collaborative content of the present invention and at Col 2, lines 51-55 Eintracht teaches "... In accordance with the invention, the annotations are transmitted from the server independent of the data transmitted that is related to the viewed document. Eintracht teaches that "...a client software application functions to display the document that the user wishes to annotate and provides the tools necessary to permit the user to create, edit, retrieve and store notes."

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 57, dependent claim 57 has an independent basis for allowability and the rejection thereof should be withdrawn.

#### Claims 24-38

##### Office Action Position

The Office Action did not provide an individual basis for rejecting these claims.

##### Applicants' Response

Applicants assert that Eintracht does not teach or suggest the inventions recited by each of dependent claims 24-38.

Since there is no independent basis in the Office Action for rejecting claims 24-38, Applicants assert that claims 24-38 are allowable and the rejection of claims 24-38 should be withdrawn.

#### **CONCLUSION**

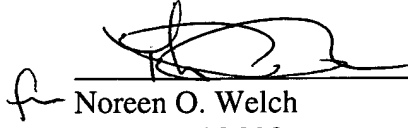
In view of the foregoing remarks and analysis, it is respectfully submitted that all objections and rejections stated in the Office Action have been overcome, that claims 24-

38 were not rejected and are deemed allowed, and that claims 1-23 and 39-58 comply with all statutory requirements, and are now in condition for immediate allowance. A Notice of Allowance is respectfully requested.

In the event that the Examiner believes that it may facilitate the advancement of this application, the Examiner is invited to contact the undersigned attorney at the local Washington, D.C. telephone number indicated below.

Respectfully submitted,

Date: April 7, 2005

 Reg # 31,689  
Noreen O. Welch  
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NOW/mat

Attachment:

Declaration under 1.132

Attorney Docket No.: TPP31729

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